IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

06 MAR 23 PM 4: 23

CR NO 05-1849-111-00-

VS.

DANA JARVIS, et al.,

Defendant.

NOTICE OF NON-AVAILABILITY

COMES NOW, counsel for Defendant Geno Berthod, Martin Lopez, III, P.C. (Martin Lopez, III) and states that he will be unavailable for hearings in this matter from May 22, 2006 through May 26, 2006.

Respectfully submitted,

MARTIN LOPEZ, III A, Professional Corporation

Martin Lopez, III

Attorney for Defendant Berthod

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I HEREBY CERTIFY that a true and correct copy of the foregoing was forwarded via facsimile to Assistant U.S. Attorney, James Braun this 2302 day of March, 2006.

Wartin Lopoz III

381